

Notice of Allowability

Application No.

10/760,673

Applicant(s)

KUIVAMAKI, ISMO

Examiner

Melody M. Burch

Art Unit

3683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 10/28/05.
2. ☒ The allowed claim(s) is/are 1-6,8-13.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 4/12/05.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Cheng-Kang Hsu on 1/3/06.

The application has been amended as follows:

- In line 4 of claim 1 the phrase "driven shaft and comprising" has been changed to --driven shaft wherein the drive shaft and the driven shaft are co-axial and said brake/disc clutch arrangement comprising-- in order to overcome US Patent 4690379 to Nakamura in which driving shaft 4 and driven shaft 10 are not co-axial;
- In the last line of claim 1 the phrase "apart and separated" has been changed to --apart and completely separated-- to overcome the JP'864 reference in which the first spring array comprising the first three portions of spring array 17 are not completely separated from the second spring array comprising the last portion of spring array 17 since the first spring array and the second spring array of JP'864 directly contact each other at a radially inward section of the apparatus shown above element number 32 and below element number 13a;

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- In line 2 of claims 8 and 10 the term “preferably” has been deleted to clearly define the metes and bounds of the claims;
- In line 3 of claim 10 the phrase “or the like” has been deleted to clearly define the metes and bounds of the claim.

2. The following is an examiner’s statement of reasons for allowance: Although Nakamura includes a shaft 6, defined by Nakamura as a driven shaft, that is coaxial with driving shaft 4, the first disc is not axially movingly but non-rotatably arranged on the driven shaft 6. Therefore, element 10 had to be interpreted as the driven shaft to meet the first disc arrangement limitation. Since driving shaft 4 and driven shaft 10 are not co-axial, claim 1, as amended, is allowable over the Nakamura reference.

Claim 1, as amended, recites that the first spring array and second spring array are apart and completely separated from each other. Since the first spring array (or the first three portions of spring 17) of JP’864 directly contacts the second spring array or the last portion of spring 17) of JP’864, the two spring arrays are not *completely* separated from each other.

Additionally, the amendments result in the instant application being patentably distinct from US Patent 6877594; therefore, the double patenting rejection has been withdrawn.

Accordingly, the claims are allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melody M. Burch whose telephone number is 571-272-7114. The examiner can normally be reached on Monday-Friday (6:30 AM-3:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James McClellan can be reached on 571-272-6786. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mmb
January 3, 2006

Melody M. Burch
Melody M. Burch
Primary Examiner
Art Unit 3683
1/3/06